

# PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**RV-9-PCT**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/JP2006/303973**

International filing date (day/month/year)

**02.03.2006**

Priority date (day/month/year)

**16.03.2005**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**RIKEN VITAMIN CO., LTD.**

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application   |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application  |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ the translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing
    - ☐ contained in the international application as filed
    - ☐ filed together with the international application in electronic form
    - ☐ furnished subsequently to this Authority for the purposes of search
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
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**Box No. V** Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

**1. Statement**

Novelty (N)	Claims <u>1 - 4</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims <u>1 - 4</u>	YES
	Claims _____	NO
Industrial applicability (IA)	Claims <u>1 - 4</u>	YES
	Claims _____	NO

**2. Citations and explanations:**

Document 1: JP2004-238579, A (Riken Vitamin Co., Ltd.), 26 August, 2004 (26.08.04)

Document 2: EP, 1270659, A1 (Riken Vitamin Co., Ltd.), 2 January, 2003 (02.01.03)

Document 3: JP, 2002-60606, A (Mitsui Chemicals, Inc.), 26 February, 2002 (26.02.02)

**Claims 1-3**

The subject matters of claims 1-3 appear to involve an inventive step in view of documents 1-3 cited in the ISR.

Documents 1-3 do not describe that an aliphatic polyester resin composition contains an ester in which the average acylation degree derived from a trivalent alcohol and a carboxylic acid having 2 to 18 carbon atoms is 50 to 90%, and on the other hand, the invention of the present application thereby demonstrates an advantageous effect of a higher solvent resistance against a paraffinic solvent.

**Claim 4**

The subject matter of claim 4 appears to involve an inventive step in view of documents 1-3 cited in the ISR.

Documents 1-3 do not describe that a sheet, a film or a molded article forms the above aliphatic polyester resin composition, and on the other hand, the invention of the present application thereby demonstrates an advantageous effect of a higher solvent resistance against a paraffinic solvent.